

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of

DTV Consumer Education Initiative

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MB Docket No. 07-148



**COMMENTS**

The American Cable Association (“ACA”) provides these brief comments in response to the *DTV Consumer Education Initiative*, Order on Reconsideration and Further Notice of Proposed Rulemaking.<sup>1</sup> In short, if the Commission requires cable operators to provide on-air DTV transition education, the regulations must include an exception for small cable systems that do not have the ability to do so. While many cable systems have the ability to insert advertising and announcements, there is an entire class of small systems that does not have the necessary headend equipment. These systems could not comply with an obligation to insert DTV transition announcements, and must be exempt from any requirement to do so.

ACA represents nearly 1,000 independent cable companies that serve about 7.5 million cable subscribers, primarily in smaller markets and rural areas. ACA member

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<sup>1</sup> *DTV Consumer Education Initiative*, MB Docket No. 07-148, Order on Reconsideration and Further Notice of Proposed Rulemaking, FCC 08-119 (rel. Apr. 23, 2008) (“*Further Notice*”).

systems are located in all 50 states, and in virtually every congressional district. The companies range from family-run cable businesses serving a single town to multiple system operators with small systems in small markets. Many ACA member systems have the ability to insert advertising and announcements. However, many very small systems do not have the equipment to do so.

In its *Further Notice*, the Commission sought comments on its proposal to require MVPDs, like television broadcasters, to provide on-air DTV transition education on their systems.<sup>2</sup> As noted above, there is an entire class of small cable systems that does not have the necessary headend equipment to insert advertising and announcements. In light of this, ACA strongly supports an exemption for small cable systems that do not have advertisement insertion capability. It is worth noting that the cable systems that are exempted from providing on-air DTV transition education will still carry DTV announcements on broadcast channels.

Based on the foregoing, small cable systems that do not possess advertisement insertion capabilities must be exempted from any Commission requirement to provide on-air DTV transition education.

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<sup>2</sup> *Id.* at ¶ 19.

Respectfully submitted,

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